

MADISON COUNTY BOARD OF SUPERVISORS MEETING

Date: 4:00PM — Tuesday, November 9th, 2021
Location: Admin. Building Auditorium, 414 N. Main Street

MEETING #33 — November 9th

At a Regular Meeting (#1) of the Board of Supervisors on Tuesday, November 9th at 4:00PM in the Admin. Building Auditorium:

PRESENT: R. Clay Jackson, Chair
Charlotte Hoffman, Vice-Chair
Amber Foster, Member
Kevin McGhee, Member
Carty Yowell, Member
Jonathon Weakley, County Administrator
Sean Gregg, County Attorney
Alan Berry, Deputy Clerk

ABSENT:

CALL TO ORDER, PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Chairman Jackson advised that a quorum was present.

DETERMINE PRESENCE OF A QUORUM/ADOPTION OF AGENDA

Supervisor Hoffman made a motion to approve the agenda as presented, seconded by Supervisor McGhee. *Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).*

PUBLIC COMMENT

Chairman Jackson opened the floor to public comment. With no public comment being brought forth, the public comment session was closed.

CONSENT AGENDA

1. Approve: Minutes from 10/26/21

Supervisor Foster made a motion to approve the Consent Agenda as presented, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).*

SPECIAL APPEARANCES

2. Adam Moore — VDOT Quarterly Report, Remote Participation

Adam Moore was present remotely and informed the Board of VDOT's quarterly activities. Their report included:

- Preliminary Engineering on Bridge Replacement Projects: Advertising dates will be updated soon
- R-CUT at Shelby: Currently working on transcript from last public hearing; will be provided once completed

- Rural Rustics: Forest Drive surface treatment may occur this week
 - Construction Activities: Leon Road has been an on-going effort; will be proceeding with insulation of pipe liner
 - Engineering Items: Stop Bars and Rumble strips as well as daylighting signs at Route 15; flashing stop signs at Pratts. Speed study for Raceground Road is complete; will remain at 35 while Twyman's Mill study is still on-going.
- *Chairman Jackson: Stated that the Board would like to apply for sidewalks through VDOT's Smart-Scale process; asked about the scoring process and if a resolution would suffice to increase the scoring or whether it needed to be in the County's Comprehensive Plan.*

Mr. Moore responded that he believed that it needed to be included in the Comprehensive Plan; asked about coordination with Chuck Proctor.

Brian Gordon asked Mr. Moore about the Bridge Projects and whether there was a detour plan / phased construction.

Mr. Moore said he would check and respond later in the week.

3. Greg Dorazio — Central Virginia Small Business Development Center

Greg Dorazio was present and informed the Board of the following:

- The territory his organization covered
- How his organization helps entrepreneurs
- The impact the work his organization is having on small businesses
- The team working with Madison County
- What his organization offers and its supporters
- What his organization was asking for from the Board (\$7,616)

➤ *Chairman Jackson: Asked how much the Board awarded to the SBDC last year.*

Mr. Dorazio responded that they received \$500 in funding from the Board.

➤ *Supervisor Yowell: Asked how they spread the word about services available.*

Tracey Gardner responded that they had been using the website and ads in the paper to get the word out.

➤ *Supervisor Yowell: Asked if the SBDC advise that the Board have a registry for small businesses in the County.*

Mr. Dorazio responded that there might be some issues with forming a registry and that it would be a decision left up to the local government.

- *Supervisor Yowell: Asked if there was a limit on the number of websites Madison County could get.*

Mr. Dorazio responded that they received a grant to cover contractors' expenses, but that they would work with those needing a website.

The County Administrator stated that the County was available to help and that they would be open to listening to ideas under an NDA if that would help foster discussion.

CONSTITUTIONAL OFFICERS, COUNTY DEPARTMENTS, COMMITTEES & ORGANIZATIONS

Planning Commission: Nathan Cowan was present and informed the Board that everything was well with the Planning Commission's proceedings.

Zoning & Planning: Ligon Webb was present and informed the Board of a small amendment to be made and advertised to the Solar Ordinance; will be a public hearing for two unit rental (AirBNBs).

Commissioner of Revenue: Brian Daniel was present and informed the Board of a current job opening within his department and that he is moving forward with Avinity software implementation.

Sheriff: Erik Weaver was present and informed the Board of the success of Trick or Trunk; issues with getting parts for vehicles, might not be available until 2023. One grant taken care of thanks to Finance Department; working on another.

Finance: Michele Thacker was present and informed the Board that Finance was working on grants with many departments and that they had received a letter from Davenport to provide an update on disclosures. She will be meeting tomorrow with the Department of Health regarding funding and is currently working with the Bank of America on P-Cards.

- *Supervisor Yowell: Asked what the threshold on the P-Cards is.*

Ms. Thacker responded that the P-Cards are set by Department; some would need higher limits on their cards than others.

Facilities: Moonie Frazier was present and informed the Board that the parts for the elevator had still not come in and that there were occasional problems with the chiller at the Courthouse. Also looking at bids for pressure washing the Admin Building.

E-911: Brian Gordon was present and informed the Board of the following:

- Still working on Radio Project
- Hughes River acquisition is nearly complete
- Tower site is under development; preliminary design probably by next week
- Primary contractor has been added for sites between Greene and Madison
- Beautiful Run and Blakey sites have little work that needs to be done

- Balloon test scheduled for November 22nd in regards to Hughes River
- Denied AFG 2020 grant; applying for the AFG21 Grant
- Next Gen 911; firewall caused everything to be pushed back to January
- Marcus Alert; involved in several groups and part of a pilot program to start December 1st
- GeoComm; fully-implemented and ready to go
- Currently in the progress of naming two roads with one more possibly on the horizon; signs installed in 2013 are fading rapidly

➤ *Supervisor Yowell: Asked if the private roads with brown signs are in the 911 system.*

Mr. Gordon responded that they are. Said they might want to look at reworking the ordinance since blue signs don't fade like the brown ones.

EMS: Noah Hillstrom was present and informed the Board of the following:

- 182 calls in October; average response of 10 minutes
- Working to fill open position in EMS
- Several people out on medical leave at the beginning of the year
- AED order is dealing with chip issues; might receive in December
- Submitted for a grant with Finance
- Agency inspection on November 16th

➤ *Chairman Jackson: Asked how many AEDs the County is waiting on.*

Mr. Hillstrom responded that they were waiting on 28.

➤ *Supervisor Yowell: Asked how EMS calculated overtime.*

Mr. Hillstrom responded that they used hour 41.

➤ *Supervisor Yowell: Commented that someone had told him that EMS used an alternate calculation for overtime by EMS. Asked why they used hour 41 rather than the other method.*

Mr. Hillstrom responded that he didn't know specifically why they were on the hour 41 method rather than the other.

IT: Bruce Livingston was present and informed the Board of the following:

- RDA server; Robert Goley was brought on to do a lot of the work involving the server
- REC reached out about lease for the poles being using for fiber
- New WiFi and network switches in the Commonwealth's Attorney's office
- Rebuilding some desktops to fix their speed issues
- Replaced firewall at EMS

➤ *Chairman Jackson: Asked if the computers are being run hard and that's why they're slowing down so much.*

Mr. Livingston replied that in certain circumstances the drives are being overloaded and that the computers that were bought weren't exactly the best.

- *Chairman Jackson: Asked if the County was saving money by getting rid of the radio repeaters and if contracts were being adjusted in line with phasing them out.*

The County Administrator said that he didn't know if it was cheaper, but the reliability was much better. Also stated that they will be looking to revise and revamp contracts as needed.

Economic Development & Tourism: Tracey Gardner was present and informed the Board of the following:

- \$40,000 to be received from ARPA
- State summit next week
- Firefly to get a map of challenges with the VATI grant
- 3 tenants at the office; inquiry for another one
- Website hits went up
- Merry Madison event with about 25 businesses participating
- December 3rd Parade, Smores with Santa event

Clerk of Court: Leeta Louk was present and informed the Board of the following:

- Sent in \$76,831 to the state; County got \$35,583
- Jury trial on the 21st of October
- Working on park papers
- Working on grant to go to state library

Parks & Rec: Jerry Carpenter & Lindsay Von Herbulis was present and informed the Board of the following:

- Halloween fest had several hundred people come
- Haunted Woods last Saturday; 331 paid to come through
- Smores with Santa on December 11th
- Winter Sports registration open now

Deputy Clerk: Alan Berry was present and informed the Board of the following:

- The audit starts next work; working with Finance to get everything prepared
- Ethics Council will be sending out a guide for the Statements of Economic Interest and other disclosure forms that will be sent out to County Departments to fill out
- Also officially approved as a notary; will visit the Clerk of Court to finalize

Treasurer: Stephanie Murray was present virtually and informed the Board of the following:

- Working with Avinity; some approvals still need to get done
- Audit next week; Mary Earhardt has been working on the pre-audit

School Board: Barry Penn Hollar was present virtually and informed the Board of the following:

- Approved request from the Board for \$350,000 supplemental appropriation for after-school program with Parks & Rec and Boys & Girls Club

- Opposition and public comment on mask mandate; no discussions to end the mandate yet — mandate does seem to be helping the schools as numbers are down
 - Have been hearing about teachers being under a lot of stress dealing with COVID related issues; added half-days to the calendar to give teachers some relief
 - Approved the day before Thanksgiving as a full off day
 - Superintendent announced use of ESSER money to give all full-time employees a \$1,500 bonus; \$750 to part-time employees
- *Supervisor Yowell: Asked when the grant was going to be awarded if the checks were going to go out before ESSER was awarded.*

Mr. Penn Hollar said he was not sure when the grant would be awarded but would check into it.

- *Chairman Jackson: Informed Mr. Penn Hollar that the \$350,000 supplemental appropriation from ESSER on the Board's part would probably take place during the next Board meeting.*

Mr. Penn Hollar stated that the money being referred to was a separate federal fund from ESSER.

The County Administrator clarified that the 23rd is the time he discussed with the Superintendent of the schools for approving the supplement.

OLD BUSINESS

4. PRA Project

Jerry Carpenter and Lindsay Von Herbulis advised the Board of a project to develop Hoover Ridge. The presentation discussed the following:

- Includes many recreational areas for sports and general use including a playground, splashpad, and hockey rink
- Have developed a site concept
- Includes accessibility options for all ages; group play is an important component
- Chris Artale is working with the Washington Nationals for the Hockey Rink aspect of the proposal
 - Would include training clinics to be provided by Nationals staff and players; includes equipment and other materials as well

Chris Artale said they are working under an MOU with the Washington Nationals and that they're in the process and planning for estimates and other parts of the project.

Danny Crigler said that the project was a great idea and something that would do the community well.

- *Supervisor McGhee: Asked about the matter concerning subdivisions.*

- *Chairman Jackson: Informed Supervisor McGhee that, to get ESSER funding from the schools, the lot would need to be subdivided with an easement and award it to the school as they must own the property to be able to use the funds.*

The County Administrator informed the Board of some of the background behind the proposal and said that there were a lot of moving parts in the project; suggested the Board look at getting an engineering firm to develop a scope of work before the project starts in earnest.

- *Supervisor Yowell: Suggested that the Parks and Rec Board be asked if they would finance the engineering and site plan work.*
- *Supervisor McGhee: Said that he liked the project and would be happy to support it in the time he has left on the Board. Was happy with the adult recreation opportunities being provided in addition to those for children.*
- *Supervisor Hoffman: Asked what the school's responsibility is to the project if the Board awarded them the property.*
- *Chairman Jackson: Responded that, the direction so far, has been that there will be a long-term MOU with Parks and Rec and that the County would maintain the property.*
- *Supervisor Yowell: Asked if engineer drawings and a site-plan would be enough to convince the Washington Nationals that the Board was serious about the project.*

Chris Artale said he believed the signed MOU would indicate that the County is serious about taking on the project.

- *Chairman Jackson: Asked if PRA would be the applicant or if the Board is.*

Chris Artale said that would be up to the Board on who would be seen as the applicant.

The County Administrator stated that, if the Board wished, he could get started on getting a scope of work for the project from engineers.

Supervisor McGhee made a motion to authorize the County Administrator to issue an RFP for the purposes of retaining annual engineering services, seconded by Supervisor Hoffman. ***Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).***

NEW BUSINESS

5. Clark Security Agreement

The County Administrator informed the Board that he had met with the Sheriff's Department, the Courts, and the Facilities Department about security measures in place. Said that Clark Security was currently maintaining the equipment on an on-call basis. Recommended that the Board approve the maintenance agreement with Clark Security.

The Sheriff stated that he thought the cost was well worth it.

The County Administrator also informed the Board that the agreement would cover the security systems at 410 and 414.

Supervisor Yowell: Asked if the agreement covered all County-owned buildings.

The County Administrator responded that it was a security equipment function; the equipment would be at the Courts, 410, and 414.

- *Supervisor Yowell: Asked if the County would pay \$75 per hour if they were contacted to perform maintenance outside of the regular maintenance visits included in the security agreement*

The County Administrator responded in the affirmative.

Supervisor Yowell made a motion to approve the Clark Security and Services LLC proposal to provide Madison County security maintenance monthly at an annual cost of \$7,200, seconded by Supervisor Foster.

Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).

The County Administrator asked the County Attorney to comment on what else the agreement might need, such as signature blocks.

The County Attorney responded that they would likely need signature blocks for the agreement.

6. Update Compensation Policy

The County Attorney informed the Board that he had reviewed the Madison County Code and stated that the County has never had a bonus policy in place. The idea would be to have a public hearing on allowing the Board to only award bonuses at open meetings to employees who have gone above and beyond their duties.

The County Administrator suggested that the Board hold a public hearing at their first regular meeting in December on the 14th at 5:00PM or 5:30PM.

Supervisor McGhee made a motion to hold a public hearing set to happen on December 14th at 5:00PM on the employee bonus policy, seconded by Supervisor Yowell.

Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).

7. Zoning Enforcement Fees

The County Attorney informed the Board that zoning violations currently charge \$100 with a maximum subsequent violation of \$250. He suggested that the Board increase these numbers to bring Madison in line with other Counties; suggested \$250 to start and \$500 to \$750 for subsequent violations.

- *Supervisor McGhee: Asked how often a violation would have to be constituted as subsequent.*

The County Attorney responded that the Court will usually give people a reasonable amount of time to respond to a violation and a subsequent violation is generally seen as a failure to correct a previous violation.

- *Chairman Jackson: Suggested that the Board start with \$250 for the first and \$750 for the subsequent violation.*

The County Administrator asked the County Attorney if the Board could take action on the matter without a public hearing.

The County Attorney stated that the change would require a public hearing with an advertising time of two weeks.

The County Administrator asked if the Board would like to hold two public hearings for the first meeting in December on the 14th.

The County Planner said that they would give people ample opportunities to comply and court cases would only be an option for particularly egregious violations.

Supervisor Yowell made a motion to have the County Attorney draft an ordinance related to the zoning enforcement fees to change them from \$100 for the first violation to \$250 and changing the subsequent violation from \$200 to \$750 and to have a public hearing on the matter on December 14th at 5:00PM, seconded by Supervisor Foster.

Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).

INFORMATION/CORRESPONDENCE

8. UDA Resolution

The County Administrator updated the Board on their request to have the County Administrator draft a resolution to support the UDA with the town of Madison. Said that he would have it completed by the second meeting in November unless otherwise instructed by the Board. He would need to speak with Chuck Proctor regarding the issue as well.

PUBLIC COMMENT

Chairman Jackson opened the floor to public comment. With no public comment being brought forth, the public comment session was closed.

CLOSED SESSION

Supervisor Hoffman made a motion to convene the Board in Closed Session pursuant to Virginia Code Sections:

- 2.2-3711(A)(1) for personnel; and

- 2.2-3711(A)(8) for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel

Seconded by Supervisor Foster. *Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).*

Supervisor Hoffman made a motion to re-convene the Board in Open Session, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).*

Supervisor Hoffman made a motion to certify by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A)(1) and 2.2-3711(A)(8) that were identified in the motion to convene in closed session were heard, discussed, or considered in the closed meeting, seconded by Supervisor McGhee.

Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).

Per the results of the Closed Session:

Supervisor McGhee made a motion to approve the Memorandum of Understanding Between Madison County Volunteer Fire Company, Inc., and Madison County Emergency Medical Services for the purpose of establishing terms and conditions under which to provide extrication coverage in the event volunteer staffing is unavailable to respond, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).*

Supervisor Yowell made a motion to amend the County Attorney's contract, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).*

ADJOURN

With there being no further business to conduct, Supervisor Hoffman made a motion to adjourn, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, Foster, McGhee, Yowell. Nay: (0).*